IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 10822 of 1998

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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JAGDISHBHAI M DALWADI - Petitioner(s)

Versus

STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :

MR PR NANAVATI for Petitioner(s) : 1,
MR SIRAJ GORI AGP for Respondent(s) : 1 - 2.
MR MB FAROOQUI for Respondent(s) : 1,
NOTICE SERVED BY DS for Respondent(s) : 3,

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 06/12/2005

ORAL JUDGMENT

In the present petition, the petitioner has challenged an order dated 16/11/1998 by which he was

disqualified to hold the position of a Councillor of Viramgam Municipality. During the pendency of the petition no stay was granted against the impugned order. By afflux of time the term of the elected body of the municipality also would have been over. The period of disqualification envisaged in Section 11 of the Municipalities Act is also over. Additionally learned advocate Shri P.A.Patel for Mr.P.R.Nanavati submitted that the petitioner has taken away the papers and he has no instruction. Thus, the petition has become infructuous. The same is disposed of accordingly. Rule is discharged. No order as to costs.

(Akil Kureshi, J.)

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